

JAN 09 2006

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# Fax

<b>To:</b>	Examiner Musalin B. Hafiz	<b>From:</b>	Leslie S. Szivos
<b>Fax:</b>	(571) 273-8300	<b>Pages:</b>	9 pages (including cover sheet)
<b>Phone:</b>		<b>Date:</b>	January 9, 2006
<b>Re:</b>	U.S. Serial No: 10/710,738 Group Art Unit: 2814 Confirmation No: 4737 Docket No: FIS920040004US1 (17368)	<b>CC:</b>	

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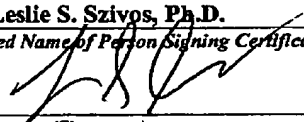
1. Certificate of Transmission by Facsimile
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3. Response Under 37 C.F.R. §1.111 (4 pages)
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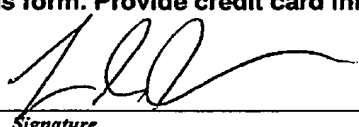
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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>		Docket No. <b>FIS920040004US1 (17368)</b>	
Applicant(s): <b>Brian Messenger et al.</b>			
Application No. <b>10/710,738</b>	Filing Date <b>July 30, 2004</b>	Examiner <b>Mursalin B. Hafiz</b>	Group Art Unit <b>2814</b>
Invention: <b>MANUFACTURABLE RECESSED STRAINED RSD STRUCTURE AND PROCESS FOR ADVANCED CMOS</b>			
Confirmation No.: <b>4737</b>			
<p>I hereby certify that this <u><b>RESPONSE UNDER 37 C.F.R. §1.111</b></u>  <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u><b>(571) 273-8300</b></u>)</p> <p>on <u><b>January 9, 2006</b></u>  <i>(Date)</i></p> <div style="text-align: right; margin-top: 100px;"> <u><b>Leslie S. Szivos, Ph.D.</b></u>  <i>(Typed or Printed Name of Person Signing Certificate)</i>    <i>(Signature)</i> </div>			
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>			

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<b>TRANSMITTAL LETTER</b> <b>(General - Patent Pending)</b>				<b>Docket No.</b> <b>FIS920040004US1 (17368)</b>				
In Re Application Of: <b>Brian Messenger et al.</b>								
<b>Application No.</b> 10/710,738	<b>Filing Date</b> July 30, 2004	<b>Examiner</b> Mursalin B. Hafiz	<b>Customer No.</b> 23389	<b>Group Art Unit</b> 2814	<b>Confirmation No.</b> 4737			
<b>Title: MANUFACTURABLE RECESSED STRAINED RSD STRUCTURE AND PROCESS FOR ADVANCED CMOS</b>								
<b><u>COMMISSIONER FOR PATENTS:</u></b>								
Transmitted herewith is: <b>RESPONSE UNDER 37 C.F.R. §1.111</b>								
in the above identified application.								
<input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <b>09-0458/IBM</b> as described below. <input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>								
 _____ <i>Signature</i>			Dated: <b>January 9, 2006</b>					
<b>Leslie S. Szivos</b> <b>Registration No. 39,394</b>  <b>SCULLY, SCOTT, MURPHY &amp; PRESSER, P.C.</b> <b>400 Garden City Plaza, Suite 300</b> <b>Garden City, New York 11530</b> <b>(516) 742-4343 (telephone)</b> <b>(516) 742-4366 (facsimile)</b>			<table border="1"><tr><td>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date)</td></tr><tr><td>_____ <i>Signature of Person Mailing Correspondence</i></td></tr><tr><td>_____ <i>Typed or Printed Name of Person Mailing Correspondence</i></td></tr></table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date)	_____ <i>Signature of Person Mailing Correspondence</i>	_____ <i>Typed or Printed Name of Person Mailing Correspondence</i>
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P18A/REV03

JAN 09 2006

<b>TRANSMITTAL LETTER</b> <b>(General - Patent Pending)</b>					Docket No. <b>FIS920040004US1 (17368)</b>									
In Re Application Of: <b>Brian Messenger et al.</b>														
Application No. <b>10/710,738</b>	Filing Date <b>July 30, 2004</b>	Examiner <b>Mursalin B. Hafiz</b>	Customer No. <b>23389</b>	Group Art Unit <b>2814</b>	Confirmation No. <b>4737</b>									
Title: <b>MANUFACTURABLE RECESSED STRAINED RSD STRUCTURE AND PROCESS FOR ADVANCED CMOS</b>														
<u>COMMISSIONER FOR PATENTS:</u>														
Transmitted herewith is:  <b>RESPONSE UNDER 37 C.F.R. §1.111</b>														
In the above identified application.														
<input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <b>09-0458/IBM</b> as described below. <input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.														
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<b>Leslie S. Szivos</b> <b>Registration No. 39,394</b>  <b>SCULLY, SCOTT, MURPHY &amp; PRESSER, P.C.</b> <b>400 Garden City Plaza, Suite 300</b> <b>Garden City, New York 11530</b> <b>(516) 742-4343 (telephone)</b> <b>(516) 742-4366 (facsimile)</b>			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 5px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</td> </tr> <tr> <td style="width: 50%; padding: 5px;">(Date)</td> <td style="width: 50%; padding: 5px;"></td> </tr> <tr> <td colspan="2" style="padding: 5px;">Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="padding: 5px;">Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>				I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on		(Date)		Signature of Person Mailing Correspondence		Typed or Printed Name of Person Mailing Correspondence	
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